S.B.Civil Writ Petition NO.194/2005

Jagdish Chandra

vs

Shyam Sundar & Ors.

DATE OF ORDER : - 24.1.2005

HON'BLE MR. PRAKASH TATIA,J.

Mr. Sandeep Saruparia, for the petitioner.
Mr. S.G.Ojha, for the respondents.

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Heard learned counsel for the parties.

The petitioner is aggrieved against the order dated 4.1.2005 by which the petitioner's application filed for being impleaded as party in a civil suit for injunction has been rejected by the trial court.

According to learned counsel for the petitioner, the plaintiff-respondents no.1 and 2 filed the suit for injunction in the representative capacity seeking injunction against the respondents no.3 and 4. The petitioner has also his shop near the disputed property and in case, the respondents will raise construction of the market, it will cause serious injuries to the property of the petitioner as the petitioner will not have way to discharge the rainy water.

After going through the facts of the case, I do not find any reason to interfere in the order by which the petitioner's application for being impleaded as party in the Misc. proceedings has been rejected by the trial court. The trial court very carefully considered the facts of the case and also the claim of the petitioner.

In view of the above, I do not find any merit in the writ petition and the same is hereby dismissed.

(Prakash Tatia), J.

c.p.goyal/-